



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Omura et.al.
Serial No. : 10/003,128
Filed : 11/14/2001
Title : Robust Data Transmission Using Broadcast Digital Television Signals
Art Unit : 2613
Examiner : Patrick H. Cathey II
Confirmation No. : 5299

MS: ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE OF ALLOWANCE

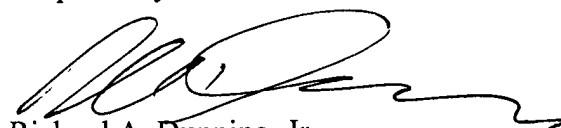
In response to the Notice of Allowance mailed date, enclosed are a completed issue fee transmittal form PTOL-85b, and payment of the required fee of \$1400.00 including

- ☒ \$1400.00 for payment of the issue fee as a large entity.
☐ \$300.00 for payment of the publication fee.
☐ \$0.00 for 0 advance copies of the patent.

Date:

3-6-06
Law Office of Richard A. Dunning, Jr.
343 Soquel Avenue
Suite 311
Santa Cruz, CA 95062
Telephone: 831.420.0561
Facsimile: 831.576.1419

Respectfully submitted,


Richard A. Dunning, Jr.
Attorney/Agent for Applicant(s)
Reg. No. 42502

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Alexandria, VA 22313-1450.

3-6-06
Date of Deposit


Signature

Richard A. Dunning, Jr.

Typed or Printed Name of Person Signing Certificate



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COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

In response to the Notice of Allowability mailed February 27, 2006, Applicant submits the following comments regarding the Examiner's statement of reasons for allowance contained therein.

Reasons for allowance are only warranted in instances in which "the record of the prosecution as a whole does not make clear the Examiner's reasons for allowing a claim or claims." 37 C.F.R. § 1.104(e).

In the present case, Applicant believes the record as a whole makes clear the reasons for allowance and therefore no statement by the Examiner is necessary or warranted. Furthermore, the statement may unfairly focus attention on the language of one of the independent claims although there are multiple allowed independent claims. Therefore, the record should reflect that Applicant does not necessarily agree with the Examiner's statement of reasons for allowance.

Applicant's claims should be limited only by the terms utilized therein. In this application, the Examiner loosely quotes portions of the allowed claims in the statement of reasons for allowance. Therefore, the statement is inaccurate to the extent that the language varies from the language that is recited in the respective claims. Thus, Applicant hereby submits these Comments in an effort to ensure that the claims are properly construed based only upon

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Attorney Docket No.: RSM013001

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limitations that are expressly present therein and/or to ensure that the claims are not interpreted so as to include any additional claim limitations that are not found in the respective claims.

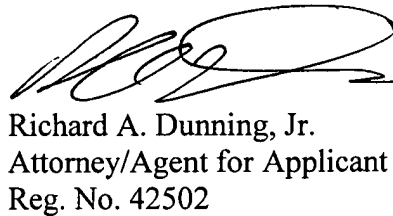
Should there remain unresolved issues that require action, it is respectfully requested that the Examiner telephone Richard A. Dunning, Jr., Applicant's Attorney, at 831.420.0561 so that such issues may be resolved as expeditiously as possible.

Please address all correspondence to PTO Customer Number 29825.

Date: _____

3-6-06
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